

NO. 16

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

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**TUESDAY, FEBRUARY 10, 2009**  
**(STATEWIDE SESSION)**

**Tuesday, February 10, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 143:8a "Let the morning bring me word of your unfailing love, for I have put my trust in you."

Let us pray. Almighty God, You have blessed us in so many ways. Your ways are not our ways. Guide these Representatives in Your ways, so that we may trust in You as You direct the thoughts of these people. When we trust You, we can accomplish great things for the people of this State. Look in favor upon our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. By Your blessings wonderful things happen. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of Friday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. BARFIELD moved that when the House adjourns, it adjourn in memory of Peggy H. Graham of Aynor, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3401 -- Reps. Willis, M. A. Pitts and Duncan: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME RAIDER ROAD (5-30-497) IN LAURENS COUNTY "JOHN K. HENDRICKS, JR. MEMORIAL MILE", AND ERECT APPROPRIATE MARKERS OR SIGNS

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ALONG THIS ROAD THAT CONTAIN THE WORDS "JOHN K. HENDRICKS, JR. MEMORIAL MILE".

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 274 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN DILLON COUNTY FROM ITS INTERSECTION WITH HIGHWAY 57 TO 2725 HIGHWAY 9 WEST AS THE "REVEREND RICHARD 'DICK' ALDERMAN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "REVEREND RICHARD 'DICK' ALDERMAN HIGHWAY".

Ordered for consideration tomorrow.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 3465 -- Reps. J. R. Smith, Clyburn, D. C. Smith, Spires, Stewart and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE MIKE ROSE, AIKEN COUNTY PLANT MANAGER OF BRIDGESTONE FIRESTONE NORTH AMERICAN TIRE, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR THIRTY-SEVEN YEARS OF DEDICATED SERVICE WITH THE COMPANY, AND TO EXTEND BEST WISHES FOR MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 3466 -- Reps. Harrell, Cato, Cooper, Duncan, Harrison, Howard, Owens, Sandifer, J. R. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Chalk, Clemmons, Clyburn,

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Cobb-Hunter, Cole, Crawford, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXPRESS SINCERE GRATITUDE TO DEBBIE PARKER HANKINS AS SHE RETIRES FROM HER LONG, HONORABLE AND FAITHFUL SERVICE TO THE STATE OF SOUTH CAROLINA AS JOURNAL CLERK OF THE HOUSE OF REPRESENTATIVES, AND EXTEND BEST WISHES TO HER FOR A HAPPY AND PROSPEROUS RETIREMENT.

Whereas, Debbie Parker Hankins, Journal Clerk of the House of Representatives, retires from a long and distinguished career of service to the State of South Carolina; and

Whereas, she is the devoted wife of John Hankins and the beloved daughter of the late legendary South Carolina High School football Coach Joe Parker, and Mrs. Dorothy Parker, she is also the loving sister of Charles “Cholly” Parker and Joe Parker, Jr., and is a doting aunt to her nephews Brice and Winston, and her niece, Peyton; and

Whereas, Debbie Parker Hankins earned her Bachelor’s Degree and Master’s Degree from the University of South Carolina and taught at Leaphart Elementary School in Columbia; She began her illustrious career at the State House Complex as a page and then as a part-time employee at Legislative Printing and Information Technology Resources, where she learned about the legislative process; and

Whereas, when she was hired by former House Clerk Lois Shealy, her prior experience carried over to benefit the House of Representatives, where Debbie rose to the position of Journal Clerk, serving faithfully ever since; and

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Whereas, in her almost thirty-five years of dedicated service to the State of South Carolina, Debbie Hankins retained an enormous amount of institutional knowledge and displayed an amazing recall of legislative activities and precedents, making her an invaluable asset to the House; and

Whereas, during the preparation of daily House Journals, she has performed her duties accurately under three different Clerks and five different Speakers, all of whom appreciated her knowledge and expertise of the House Rules and proper protocol; and

Whereas, she has fulfilled her responsibilities to the House and to the citizens of South Carolina it serves with her attention to detail and skill under pressure; and

Whereas, Debbie is thoughtful of others, remembering birthdays, special occasions, and visiting co-workers when they were sick or hospitalized; and

Whereas, she is an avid Gamecock fan, attending games through good seasons and bad, forever loyal to her team, even when confronted by overly enthusiastic Clemson fans among staff and Members; and

Whereas, Debbie Parker Hankin's retirement is well earned, and she deserves the happy realization of a future spent pursuing pleasure at her beloved getaway in Pawley's Island, with her husband John and her close friends; and

Whereas, she can always look back in justifiable pride at the highest standards of integrity and proficiency that are the hallmarks of her service to the State of South Carolina; and

Whereas, it is appropriate for the Members of the House of Representatives to pause in their deliberations to recognize her exemplary service to the House of Representatives and to express their appreciation to her as she departs this Chamber for the last time as a public servant. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives do hereby express their deepest gratitude to Debbie Parker Hankins as she retires from her long and honorable service to the State of South

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Carolina as Journal Clerk of the House, and extend their sincere wishes to her for a happy and prosperous retirement.

Be it further resolved that a copy of this resolution be presented to Debbie Parker Hankins.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3467 -- Reps. M. A. Pitts, Brantley, Allison, Horne, Rice and Spires: A BILL TO AMEND SECTION 8-11-83, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYROLL DEDUCTION FOR DUES OF THE STATE EMPLOYEES' ASSOCIATION AND THE SOUTH CAROLINA TROOPERS' ASSOCIATION, SO AS TO ALSO AUTHORIZE A PAYROLL DEDUCTION FOR DUES OF THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE.

Referred to Committee on Ways and Means

H. 3468 -- Reps. Crawford, Stringer, Allison and Wylie: A BILL TO AMEND ARTICLE 3, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY MEDICAL SERVICES FOR CHILDREN, SO AS TO DEFINE "MANAGER" AND "EMERGENCY MEDICAL TECHNICIAN"; TO REQUIRE THE EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM TO INCLUDE GUIDELINES FOR DESIGNATION OF PEDIATRIC EMERGENCY DEPARTMENTS, GUIDELINES FOR DISASTER RESPONSES TO CHILDREN AND THEIR FAMILIES, PEDIATRIC DISASTER PREPAREDNESS TRAINING, AND PEDIATRIC SURGE DISASTER PLAN STRATEGIES; TO ESTABLISH THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP AND PURPOSE; AND TO MAKE TECHNICAL CORRECTIONS.

Referred to Committee on Medical, Military, Public and Municipal Affairs

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H. 3469 -- Reps. Clyburn, Ott, McLeod, Whipper, Anthony, Frye, Gilliard, Mack and M. A. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-35 SO AS TO PROVIDE THAT A SOUTH CAROLINA RESIDENT WHO OTHERWISE QUALIFIES FOR THE LIFE, HOPE, OR PALMETTO FELLOWS SCHOLARSHIP BUT WHO ATTENDS SCHOOL IN ANOTHER STATE BECAUSE NO PUBLIC COLLEGE OR UNIVERSITY OFFERS HIS CHOSEN MAJOR SHALL RECEIVE THE SCHOLARSHIP FOR WHICH HE QUALIFIES TO BE USED FOR PAYMENT OF TUITION AT THE OUT-OF-STATE INSTITUTION.

Referred to Committee on Ways and Means

H. 3470 -- Rep. Skelton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT OF TWO AND ONE-HALF CENTS, TO PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE DEPARTMENT OF AGRICULTURE FOR MARKETING STATE-GROWN CROPS, THE MEDICAID TRUST FUND, AND THE HEALTH CARE TRUST FUND, TO PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND DEFINE "CIGARETTE"; TO AMEND SECTION 12-21-620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO CONFORM DEFINITIONS; BY ADDING SECTION 11-11-230 SO AS TO CREATE AND ESTABLISH IN THE STATE TREASURY THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE MEDICAID TRUST FUND, THE HEALTH CARE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, ALL SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; TO PROVIDE FOR USE OF THE MEDICAID TRUST FUND FOR MEDICAID SERVICES TO LOW INCOME FAMILIES WITH INCOMES UP TO ONE HUNDRED PERCENT OF THE PREVAILING POVERTY LEVEL, PROVIDE FOR ADDITIONAL COVERAGE FOR THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE AGED, BLIND, AND DISABLED PROGRAM WITH ANY EXCESS FUNDS, AND TO PROVIDE FOR ANNUAL REPORTS ON THE MEDICAID TRUST FUND; TO REDIRECT TO THE HEALTH

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CARE TRUST FUND CIGARETTE TAX REVENUES OTHERWISE REQUIRED TO BE CREDITED TO THE MEDICAID TRUST FUND FOR A FISCAL YEAR WHICH SUCCEEDS A FISCAL YEAR IN WHICH STATE GENERAL FUND REVENUES WERE 7.5 BILLION DOLLARS OR MORE; BY ADDING CHAPTER 62 TO TITLE 38 SO AS TO CREATE AND ESTABLISH THE PALMETTO HEALTH CARE PREMIUM ASSISTANCE PROGRAM, TO PROVIDE FOR PREMIUM ASSISTANCE IN THE AVERAGE AMOUNT OF TWO THOUSAND DOLLARS TO AN ELIGIBLE INDIVIDUAL TOWARD THE PURCHASE OF A QUALIFYING HEALTH INSURANCE PLAN, DESCRIBING ELIGIBILITY REQUIREMENTS AND THE CERTIFICATION PROCESS, DEFINING THE QUALIFYING INDIVIDUALLY OR EMPLOYER-SPONSORED INSURANCE PLANS, AND TO PROVIDE FOR ADMINISTRATION AND REPORTING BY THE DEPARTMENT OF INSURANCE; AND BY ADDING SECTION 38-74-75 SO AS TO CREATE THE PALMETTO HEALTH CARE SAFETY NET PROGRAM, TO ESTABLISH A SELF-SUSTAINING AND FINANCIALLY INDEPENDENT PORTION OF THE PREMIUM ASSISTANCE POOL, AND TO PROVIDE FOR ELIGIBILITY REQUIREMENTS, ADMINISTRATION, AND REPORTING BY THE DEPARTMENT OF INSURANCE AND OPERATING GUIDELINES; TO PROHIBIT THE EXCESSIVE PURCHASE OF CIGARETTES FOR RESALE IN ANTICIPATION OF THE APPLICATION OF THE SURTAX; AND TO CREATE A STUDY COMMITTEE ON HEALTH CARE ACCESS AND AFFORDABILITY, TO PROVIDE FOR ITS MEMBERSHIP, AND REQUIRE A REPORT ON ITS FINDINGS AND RECOMMENDATIONS BY JANUARY 1, 2011.

Referred to Committee on Ways and Means

H. 3471 -- Rep. Chalk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE AN ADDITIONAL TAX ON CIGARETTES EQUAL TO 2.25 CENTS ON EACH CIGARETTE, TO PROVIDE A DEFINITION OF "CIGARETTE", TO CREATE THE COMMUNITY MENTAL HEALTH FUND FOR THE SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH AND PROVIDE ITS SOURCES OF REVENUE INCLUDING THE REVENUES OF THE TAX IMPOSED PURSUANT TO THIS ACT AND TO PROVIDE FOR THE USES OF FUND REVENUES, TO

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PROVIDE A TAX CREDIT FOR AN INDIVIDUAL WHO MAINTAINS A QUALIFYING HEALTH SAVINGS ACCOUNT, TO REQUIRE THE BALANCE OF THE REVENUES OF THIS ADDITIONAL TAX FIRST BE CREDITED TO THE GENERAL RESERVE FUND AND THEREAFTER TO THE GENERAL FUND OF THE STATE TO OFFSET REVENUES LOST AS A RESULT OF THE HEALTH SAVINGS ACCOUNT TAX CREDIT; AND BY ADDING SECTION 12-6-3755 SO AS TO PROVIDE FOR A TAX CREDIT UP TO FIVE HUNDRED DOLLARS AGAINST THE STATE INCOME TAX FOR AN INDIVIDUAL WHO MAINTAINS A QUALIFYING HEALTH SAVINGS ACCOUNT.

Referred to Committee on Ways and Means

H. 3478 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION MUST DEVELOP A CLASSROOM TEACHER BONUS PROGRAM TO REWARD EXEMPLARY CLASSROOM TEACHERS FOR OUTSTANDING PERFORMANCE, TO PROVIDE THAT THE BONUS MAY NOT EXCEED FIVE PERCENT OF THE TEACHER'S SALARY FOR THE PREVIOUS FISCAL YEAR, AND TO REQUIRE EACH SCHOOL DISTRICT TO MAINTAIN A SEPARATE ACCOUNT FOR THE FUNDING OF THIS PROGRAM WITH FUNDS DRAWN FROM THE OPERATING ACCOUNT OF THE SCHOOL DISTRICT.

Referred to Committee on Ways and Means

H. 3479 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 12-37-251, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CALCULATION OF ROLLBACK MILLAGE FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE A FORMULA FOR THE CALCULATION OF ROLLBACK MILLAGE AND TO PROVIDE DEFINITIONS APPLICABLE FOR THE FORMULA.

Referred to Committee on Ways and Means

H. 3480 -- Rep. Edge: A BILL TO AMEND SECTION 12-37-3140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING THE FAIR MARKET VALUE OF REAL PROPERTY FOR PROPERTY TAX PURPOSES, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THE FAIR

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MARKET VALUE OF REAL PROPERTY IS DETERMINED FOR THESE PURPOSES.

Referred to Committee on Ways and Means

H. 3481 -- Rep. Edge: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AND WHAT AN ASSESSABLE TRANSFER OF INTEREST IN REAL PROPERTY INCLUDES, SO AS TO DELETE CERTAIN CIRCUMSTANCES THAT CONSTITUTE ASSESSABLE TRANSFERS OF INTEREST AND TO ADD OTHER CIRCUMSTANCES.

Referred to Committee on Judiciary

H. 3482 -- Reps. Whipper, Harrell, Cooper and Mack: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT FROM PROPERTY TAX ALL PERSONAL PROPERTY, INCLUDING AIRCRAFT, OF A COMPANY ENGAGED IN AIR TRANSPORT OF SPECIALIZED CARGO.

Referred to Committee on Ways and Means

H. 3483 -- Reps. White, M. A. Pitts, Toole and Willis: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, BY ADDING SECTION 25 SO AS TO PROVIDE THAT HUNTING, TRAPPING, AND FISHING AND THE TAKING OF WILD ANIMALS, BIRDS, AND FISH ARE A VALUED PART OF OUR HERITAGE AND SHALL BE FOREVER PRESERVED FOR THE PEOPLE, TO PROVIDE THAT FISH AND WILDLIFE SHALL BE MANAGED BY LAWS AND REGULATIONS THAT PROVIDE PERSONS WITH THE CONTINUED OPPORTUNITY TO TAKE, BY TRADITIONAL MEANS AND METHODS, SPECIES TRADITIONALLY PURSUED BY HUNTERS, ANGLERS, AND TRAPPERS, TO PROVIDE FISH AND WILDLIFE MANAGEMENT, INCLUDING TAKING, SHALL BE CONSISTENT WITH THE STATE'S DUTY TO PROTECT THIS HERITAGE AND ITS DUTY TO CONSERVE WILD ANIMALS, BIRDS, AND FISH, TO PROVIDE HUNTING, FISHING, OR TRAPPING BY SPORTSMEN SHALL ALWAYS BE A

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PREFERRED AND AVAILABLE MEANS OF CONTROLLING ALL INVASIVE OR OVERPOPULATED SPECIES, TO PROVIDE THAT ANY PERSON WHO IS LICENSED TO HUNT, FISH, OR TRAP AND WHO IS ADVERSELY AFFECTED BY A FAILURE TO COMPLY WITH THIS SECTION SHALL HAVE A PRIVATE CAUSE OF ACTION TO ENFORCE THIS SECTION, AND TO PROVIDE THAT THE RIGHT OF THE PEOPLE TO HUNT, FISH, TRAP, AND HARVEST GAME SHALL BE SUBJECT ONLY TO SUCH REGULATIONS AND RESTRICTIONS AS THE GENERAL ASSEMBLY MAY PRESCRIBE BY GENERAL LAW.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3486 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT THAT WOULD RAISE THE TOTAL TAX FOR EACH PACK OF CIGARETTES TO THAT OF THE SOUTHEASTERN AVERAGE TAX FOR EACH PACK, TO PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE DEPARTMENT OF AGRICULTURE FOR MARKETING STATE-GROWN CROPS, THE MEDICAID TRUST FUND, AND THE HEALTH CARE TRUST FUND, TO PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND DEFINE "CIGARETTE"; TO AMEND SECTION 12-21-620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO CONFORM DEFINITIONS; BY ADDING SECTION 11-11-230 SO AS TO CREATE AND ESTABLISH IN THE STATE TREASURY THE SMOKING PREVENTION AND CESSATION TRUST FUND, THE MEDICAID TRUST FUND, THE HEALTH CARE TRUST FUND, AND THE PALMETTO HEALTH CARE SAFETY NET TRUST FUND, ALL SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; TO PROVIDE FOR USE OF THE MEDICAID TRUST FUND FOR MEDICAID SERVICES TO LOW INCOME FAMILIES WITH INCOMES UP TO ONE HUNDRED PERCENT OF THE PREVAILING POVERTY LEVEL, PROVIDE FOR ADDITIONAL COVERAGE FOR THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM AND THE AGED, BLIND, AND DISABLED PROGRAM WITH ANY EXCESS

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FUNDS, AND TO PROVIDE FOR ANNUAL REPORTS ON THE MEDICAID TRUST FUND; BY ADDING CHAPTER 62 TO TITLE 38 SO AS TO CREATE AND ESTABLISH THE PALMETTO HEALTH CARE PREMIUM ASSISTANCE PROGRAM, TO PROVIDE FOR PREMIUM ASSISTANCE IN THE AVERAGE AMOUNT OF TWO THOUSAND DOLLARS TO AN ELIGIBLE INDIVIDUAL TOWARD THE PURCHASE OF A QUALIFYING HEALTH INSURANCE PLAN, DESCRIBING ELIGIBILITY REQUIREMENTS AND THE CERTIFICATION PROCESS, DEFINING THE QUALIFYING INDIVIDUALLY OR EMPLOYER-SPONSORED INSURANCE PLANS, AND TO PROVIDE FOR ADMINISTRATION AND REPORTING BY THE DEPARTMENT OF INSURANCE; AND BY ADDING SECTION 38-74-75 SO AS TO CREATE THE PALMETTO HEALTH CARE SAFETY NET PROGRAM, TO ESTABLISH A SELF-SUSTAINING AND FINANCIALLY INDEPENDENT PORTION OF THE PREMIUM ASSISTANCE POOL, AND TO PROVIDE FOR ELIGIBILITY REQUIREMENTS, ADMINISTRATION, AND REPORTING BY THE DEPARTMENT OF INSURANCE AND OPERATING GUIDELINES; TO PROHIBIT THE EXCESSIVE PURCHASE OF CIGARETTES FOR RESALE IN ANTICIPATION OF THE APPLICATION OF THE SURTAX; AND TO CREATE A STUDY COMMITTEE ON HEALTH CARE ACCESS AND AFFORDABILITY, TO PROVIDE FOR ITS MEMBERSHIP, AND REQUIRE A REPORT ON ITS FINDINGS AND RECOMMENDATIONS BY JANUARY 1, 2012.

Referred to Committee on Ways and Means

H. 3487 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-780 SO AS TO PROVIDE THAT A LEAVE DONOR UNDER THE STATE EMPLOYEES LEAVE TRANSFER PROGRAM ALSO MAY DONATE SICK LEAVE OR ANNUAL LEAVE OR BOTH TO A SPECIFIC LEAVE RECIPIENT RATHER THAN TO THE LEAVE POOL ACCOUNT IN THE MANNER THE HUMAN RESOURCE MANAGEMENT DIVISION SHALL DIRECT.

Referred to Committee on Ways and Means

H. 3488 -- Rep. J. E. Smith: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY CERTAIN ISSUES AFFECTING VETERANS AND PROVIDE FOR RELATED

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MATTERS INCLUDING, BUT NOT LIMITED TO, COMMITTEE MEMBERSHIP AND DUTIES, THE FILLING OF VACANCIES, AND COMMITTEE MEETINGS, AND STAFFING.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3489 -- Reps. Harrell, Cato, Sandifer, Cooper, Duncan, Owens, White, Bingham, A. D. Young, Huggins, E. H. Pitts, Edge, Toole, Kirsh, J. R. Smith, G. R. Smith, Brady, Crawford, Barfield, Bedingfield, Hardwick, Erickson, Loftis, Pinson, Rice, Hiott, Littlejohn, Allison, Chalk, Daning, Bowen, Gambrell, Hamilton, Wylie, Sottile, Nanney, Parker, Forrester, Haley, Millwood, Battle, Frye, Simrill, Spires, Thompson and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2009" BY AMENDING ARTICLE 1, CHAPTER 32, TITLE 15, PREVIOUSLY RESERVED, SO AS TO PROVIDE DEFINITIONS FOR PURPOSES OF THE CHAPTER; TO AMEND SECTION 15-32-220, AS AMENDED, RELATING TO LIMITS ON NONECONOMIC DAMAGES, AND ARTICLE 5, CHAPTER 32, TITLE 15, RELATING TO PUNITIVE DAMAGES, BOTH SO AS TO PROVIDE LIMITS ON THE AWARD OF NONECONOMIC AND PUNITIVE DAMAGES IN ALL PERSONAL INJURY ACTIONS AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTION 1-7-750 SO AS TO ENACT THE "PRIVATE ATTORNEY RETENTION SUNSHINE ACT" TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR AND TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES; TO AMEND SECTION 15-3-670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS; BY ADDING SECTION 15-3-160 SO AS TO PROVIDE A REBUTTABLE PRESUMPTION THAT A MANUFACTURER OR SELLER IS NOT LIABLE FOR A PRODUCT IF IT IS MANUFACTURED OR SOLD IN A MANNER

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APPROVED BY A GOVERNMENT AGENCY; BY ADDING SECTION 15-5-10 SO AS TO PROVIDE REQUIREMENTS AND PROCEDURES TO BRING, MAINTAIN, AND CERTIFY CLASS ACTIONS; TO AMEND SECTION 15-73-10, RELATING TO LIABILITY OF THE SELLER FOR A DEFECTIVE PRODUCT, SO AS TO PROVIDE THAT THE SELLER IS NOT LIABLE FOR DAMAGE CAUSED ONLY TO THE PRODUCT ITSELF; TO AMEND SECTION 18-9-130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS; TO AMEND SECTIONS 33-6-220 AND 33-44-303, RELATING TO CORPORATIONS AND LIMITED LIABILITY COMPANIES, SO AS TO PROVIDE THAT A JUDGMENT AGAINST A CORPORATION OR LIMITED LIABILITY COMPANY IS A PREREQUISITE TO AN ALTER EGO CLAIM TO PIERCE THE CORPORATE VEIL; TO AMEND SECTION 39-5-20, RELATING TO UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, SO AS TO PROVIDE ACTIONS OR TRANSACTIONS OTHERWISE PERMITTED OR REGULATED BY THE FEDERAL TRADE COMMISSION OR ANOTHER REGULATORY BODY OR OFFICE ACTING UNDER STATUTORY AUTHORITY OF THIS STATE OR THE UNITED STATES ARE NOT COVERED BY THE ACT; TO AMEND SECTION 39-5-140, RELATING TO AN ACTION FOR DAMAGES ARISING OUT OF AN UNFAIR OR DECEPTIVE TRADE PRACTICE, SO AS TO PROVIDE THAT A PERSON SEEKING DAMAGES SHALL PAY "OUT-OF-POCKET EXPENSES" AND TO DEFINE THIS TERM; TO AMEND SECTION 56-5-6540, AS AMENDED, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, SO AS TO PROVIDE THAT A VIOLATION MAY BE CONSIDERED IN A CIVIL ACTION AS EVIDENCE OF COMPARATIVE NEGLIGENCE OR AS EVIDENCE OF FAILURE TO MITIGATE DAMAGES; AND TO REPEAL SECTIONS 15-32-200, 15-32-210, AND 15-32-240 ALL RELATING TO NONECONOMIC DAMAGES AND PROCEDURES REGARDING THE LIMITATION AND COLLECTION OF NONECONOMIC DAMAGES.

Referred to Committee on Judiciary

H. 3490 -- Rep. Rutherford: A BILL TO AMEND SECTION 22-5-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING

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TO BOND HEARINGS, SO AS TO PROVIDE A COUNTY MUST PROVIDE A BOND HEARING TO A PERSON CHARGED WITH A BAILABLE OFFENSE WITHIN TWENTY-FOUR HOURS OF HIS ARREST, TO PROVIDE A COUNTY MUST RELEASE A PERSON CHARGED WITH A BAILABLE OFFENSE WITHIN A SPECIFIC TIME PERIOD DEPENDING ON THE TYPE OF BOND POSTED, AND TO PROVIDE A COUNTY SHALL PAY A PENALTY TO THE PUBLIC DEFENDER'S OFFICE FOR A VIOLATION OF THESE PROVISIONS AND MONTHLY SHALL NOTIFY THE DIRECTOR OF THE SOUTH CAROLINA OFFICE OF COURT ADMINISTRATION OF THE TOTAL VIOLATIONS THAT OCCURRED THE PREVIOUS MONTH.

Referred to Committee on Judiciary

H. 3491 -- Rep. Harvin: A BILL TO AMEND ARTICLE 1, CHAPTER 43, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DONATION OF HUMAN BODIES, PARTS OF THE HUMAN BODY AND HUMAN TISSUE, SO AS TO CONFORM CROSS REFERENCES TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, TO DELETE THE PROVISION STATING THAT A DONOR DESIGNATION ON A DRIVER'S LICENSE DOES NOT CONSTITUTE A GIFT UNDER THE UNIFORM ANATOMICAL GIFT ACT; TO AMEND ARTICLE 5, CHAPTER 43, TITLE 44, RELATING TO THE UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE ACT NAME TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, AND, AMONG OTHER THINGS, TO REVISE DEFINITIONS, DONOR ELIGIBILITY, DONATION AMENDMENT AND REVOCATION PROCEDURES, THE PRIORITY ORDER TO GIVE CONSENT, SUBSTITUTE DONOR PROCEDURES, DONEE QUALIFICATIONS, AND ALTERNATIVE DONEE PROCEDURES; TO ESTABLISH PROCEDURES FOR REFUSAL TO MAKE AN ANATOMICAL GIFT; TO REQUIRE CERTAIN LAW ENFORCEMENT, HOSPITAL PERSONNEL, AND ORGAN PROCUREMENT ORGANIZATIONS TO MAKE REASONABLE SEARCHES FOR DONOR INFORMATION AND DONOR REFUSAL INFORMATION; TO PROVIDE THAT A PHYSICIAN WHO ATTENDED A PERSON AT DEATH OR WHO DETERMINES THE TIME OF DEATH MAY NOT PARTICIPATE IN REMOVAL OR TRANSPLANTATION PROCEDURES; TO ESTABLISH

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CRIMINAL PENALTIES FOR SELLING OR PURCHASING ORGANS AND FOR OBTAINING FINANCIAL GAIN BY FALSIFYING OR DEFACING A DONATION DOCUMENT; TO ESTABLISH CRITERIA FOR THE VALIDITY OF AN ORGAN DONATION; TO ESTABLISH PROCEDURES TO RESOLVE ISSUES WHEN CERTAIN CONFLICTS EXIST BETWEEN A DECLARATION OF A ORGAN DONATION AND THE MEDICAL SUITABILITY OF THE ORGAN DONATION; TO REQUIRE CORONERS TO COOPERATE WITH PROCUREMENT ORGANIZATIONS TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS; AND TO AMEND ARTICLE 11, CHAPTER 43, TITLE 44, RELATING TO HOSPITAL POLICY AND PROTOCOL FOR ORGAN AND TISSUE DONATION, SO AS TO REVISE DEFINITIONS AND PROCEDURES FOR CONTACTING PERSONS AUTHORIZED TO CONSENT TO ORGAN DONATION.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3492 -- Reps. Kennedy, Bingham, Brantley, Cato, McEachern, Clyburn, Hodges, Hosey, Jefferson, King and Williams: A BILL TO AMEND SECTION 40-59-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN CONNECTION WITH THE LICENSURE AND REGULATION OF RESIDENTIAL HOME BUILDERS SO AS TO INCREASE FROM FIVE THOUSAND DOLLARS TO FIFTEEN THOUSAND DOLLARS THE AMOUNT THAT A PERSON MAY UNDERTAKE IN THE CONSTRUCTION, REPAIR, OR IMPROVEMENT OF A RESIDENTIAL BUILDING WITHOUT BEING CONSIDERED A RESIDENTIAL HOME BUILDER SUBJECT TO LICENSURE AND REGULATIONS BY THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION.

Rep. KENNEDY asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. HUGGINS objected.

Referred to Committee on Labor, Commerce and Industry



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**HOUSE RESOLUTION**

The following was introduced:

H. 3472 -- Reps. Cole, Allison, Anthony, Forrester, Kelly, Littlejohn, Millwood, Mitchell and Parker: A HOUSE RESOLUTION TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO MRS. EUDORA "DODIE" GRAHAM, OF SPARTANBURG COUNTY, FOR HER NINETEEN YEARS OF DEDICATED VOLUNTEER SERVICE AS A MEMBER OF THE SPARTANBURG COUNTY VOTER REGISTRATION BOARD.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3473 -- Rep. Anthony: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNION COUNTY CARNEGIE LIBRARY FOR BEING SELECTED THE LIBRARY JOURNAL BEST SMALL LIBRARY IN AMERICA 2009.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

On motion of Rep. HARRISON, with unanimous consent, the following was taken up for immediate consideration:

H. 3474 -- Reps. Harrison, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens,

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Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 25, 2009.

Be it resolved by the House of Representatives, the Senate concurring:

That the Chief Justice of the South Carolina Supreme Court, the Honorable Jean Hoefer Toal, is invited to address the General Assembly in Joint Session on the State of the Judiciary in the Hall of the House of Representatives at 12:00 noon on Wednesday, February 25, 2009.

Be it further resolved that a copy of this resolution be forwarded to Chief Justice Toal.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

#### **CONCURRENT RESOLUTION**

The following was introduced:

H. 3475 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME BLACK BRANCH ROAD IN DILLON COUNTY "HOYT JACKSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD THAT CONTAIN THE WORDS "HOYT JACKSON MEMORIAL HIGHWAY".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

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**CONCURRENT RESOLUTION**

The following was introduced:

H. 3476 -- Reps. Brantley and Bedingfield: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN JASPER COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH THE JASPER/HAMPTON COUNTY LINE THE "EUNICE HOLMAN DOE HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "EUNICE HOLMAN DOE HIGHWAY".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3477 -- Reps. Neilson, Williams and Lucas: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE THE DARLINGTON HIGH SCHOOL "LADY FALCONS" SOFTBALL TEAM, OF DARLINGTON COUNTY, ON ITS OUTSTANDING SEASON AND IMPRESSIVE WIN OF THE 2008 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**HOUSE RESOLUTION**

The following was introduced:

H. 3484 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF PASTOR WILBERT CARL WILKS, OF HORRY COUNTY, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

On motion of Rep. NEILSON, with unanimous consent, the following was taken up for immediate consideration:

H. 3485 -- Reps. Neilson, Williams and Lucas: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DARLINGTON HIGH SCHOOL "LADY FALCONS" SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2008 CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Darlington High School "Lady Falcons" softball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2008 Class AAA State Championship title.

The Resolution was adopted.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Agnew	Alexander	Allen
Allison	Anderson	Anthony
Bales	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Bowers
Brady	Branham	Brantley
G. A. Brown	H. B. Brown	R. L. Brown
Cato	Chalk	Clemmons
Clyburn	Cobb-Hunter	Cole
Cooper	Crawford	Daning
Delleney	Dillard	Duncan
Edge	Erickson	Forrester
Frye	Funderburk	Gambrell

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Gilliard	Govan	Gullick
Gunn	Haley	Hamilton
Hardwick	Harrell	Harrison
Hart	Harvin	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Howard	Huggins	Hutto
Jefferson	Kelly	Kennedy
King	Kirsh	Knight
Limehouse	Littlejohn	Loftis
Long	Lowe	Mack
McEachern	McLeod	Merrill
Miller	Millwood	Mitchell
Moss	Nanney	J. H. Neal
J. M. Neal	Neilson	Ott
Owens	Parker	Parks
Pinson	E. H. Pitts	M. A. Pitts
Rice	Rutherford	Sandifer
Scott	Sellers	Simrill
Skelton	D. C. Smith	G. M. Smith
G. R. Smith	J. E. Smith	J. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Thompson	Toole
Umphlett	Viers	Weeks
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

### **STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, February 10.

James Lucas

Ted Vick

James E. Stewart

Jackson "Seth" Whipper

**Total Present--122**

### **DOCTOR OF THE DAY**

Announcement was made that Dr. Ted Watson of Anderson was the Doctor of the Day for the General Assembly.

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**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

**CO-SPONSOR ADDED**

Bill Number: H. 3003  
Date: ADD:  
02/10/09 SKELTON

**CO-SPONSOR ADDED**

Bill Number: H. 3042  
Date: ADD:  
02/10/09 BEDINGFIELD

**CO-SPONSOR ADDED**

Bill Number: H. 3063  
Date: ADD:  
02/10/09 BRANHAM

**CO-SPONSOR ADDED**

Bill Number: H. 3067  
Date: ADD:  
02/10/09 HARRELL

**CO-SPONSOR ADDED**

Bill Number: H. 3164  
Date: ADD:  
02/10/09 WYLIE

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**CO-SPONSOR ADDED**

Bill Number: H. 3222  
Date: ADD:  
02/10/09 UMPHLETT

**CO-SPONSOR ADDED**

Bill Number: H. 3245  
Date: ADD:  
02/10/09 VICK

**CO-SPONSOR ADDED**

Bill Number: H. 3245  
Date: ADD:  
02/10/09 MILLWOOD

**CO-SPONSOR ADDED**

Bill Number: H. 3245  
Date: ADD:  
02/10/09 HALEY

**CO-SPONSOR ADDED**

Bill Number: H. 3245  
Date: ADD:  
02/10/09 DUNCAN

**CO-SPONSOR ADDED**

Bill Number: H. 3297  
Date: ADD:  
02/10/09 BRADY

**CO-SPONSOR ADDED**

Bill Number: H. 3299  
Date: ADD:  
02/10/09 PARKER

**CO-SPONSOR ADDED**

Bill Number: H. 3299  
Date: ADD:  
02/10/09 SKELTON

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**CO-SPONSOR ADDED**

Bill Number: H. 3299  
Date: ADD:  
02/10/09 WYLIE

**COSPONSORS ADDED**

Bill Number: H. 3305  
Date: ADD:  
02/10/09 D. C. SMITH, PINSON, J. R. SMITH, SIMRILL,  
BRANTLEY, WILLIS, HAMILTON, ERICKSON,  
SOTTILE, RICE, PARKER, ALLISON,  
LITTLEJOHN, COLE, HIOTT, EDGE, WHITMIRE,  
HEARN, HARDWICK and SCOTT

**CO-SPONSOR ADDED**

Bill Number: H. 3322  
Date: ADD:  
02/10/09 VIERS

**CO-SPONSOR ADDED**

Bill Number: H. 3352  
Date: ADD:  
02/10/09 T. R. YOUNG

**CO-SPONSOR ADDED**

Bill Number: H. 3365  
Date: ADD:  
02/10/09 T. R. YOUNG

**CO-SPONSOR ADDED**

Bill Number: H. 3442  
Date: ADD:  
02/10/09 T. R. YOUNG

**CO-SPONSOR ADDED**

Bill Number: H. 3463  
Date: ADD:  
02/10/09 HIOTT



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**CO-SPONSOR ADDED**

Bill Number: H. 3457  
Date: ADD:  
02/10/09 SELLERS

**CO-SPONSOR ADDED**

Bill Number: H. 3123  
Date: ADD:  
02/10/09 MCLEOD

**CO-SPONSOR REMOVED**

Bill Number: H. 3227  
Date: REMOVE:  
02/10/09 T. R. YOUNG

**CO-SPONSOR REMOVED**

Bill Number: H. 3305  
Date: REMOVE:  
02/10/09 MCLEOD

**H. 3299--REQUESTS FOR DEBATE AND DEBATE  
ADJOURNED**

The following Bill was taken up:

H. 3299 -- Reps. Sandifer, Harrell, Cato, Thompson, Bedingfield, Bingham, Brady, Gambrell, Harrison, Jennings, Mack, Mitchell, Cooper, Crawford, Alexander, Allison, Anthony, Bales, Bannister, Barfield, Bowers, G. A. Brown, Clemmons, Cobb-Hunter, Duncan, Gullick, Haley, Hayes, Herbkersman, Howard, Huggins, Limehouse, Littlejohn, Lowe, Miller, Ott, Owens, Pinson, M. A. Pitts, J. R. Smith, J. E. Smith, Spires, Toole, Umphlett, White, Anderson, Whitmire, A. D. Young, T. R. Young, Forrester, H. B. Brown, Weeks, Horne, Parker, Skelton and Wylie: A BILL TO AMEND SECTION 58-9-576, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTION BY AND DUTIES OF THE LOCAL EXCHANGE CARRIER AND ALTERNATIVE FORMS OF REGULATION, SO AS TO ENACT THE "CUSTOMER CHOICE AND TECHNOLOGY INVESTMENT ACT OF 2009".

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL/DKA\3144DW09):

[HJ]

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Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/Whereas, the technology used to provide communications services has evolved and continues to evolve at an ever-increasing pace; and

Whereas, the resulting competition between traditional telephone service providers, cable companies offering communications services, voice over Internet protocol (VoIP) providers, wireless communications service providers, and other communications service providers promotes and continues to promote additional customer choices for these services; and

Whereas, competition tends to lower prices for competitive services, but in more rural areas it also may have the unintended consequence of adversely impacting the availability of affordable basic local exchange telephone service to all South Carolina citizens; and

Whereas, current state and federal mechanisms for providing universal service funding to carriers of last resort in rural areas have helped to ensure that customers in rural areas continue to have access to basic local exchange telephone service at affordable rates, in furtherance of important state and national telecommunications goals; and

Whereas, traditional telephone service providers remain subject to certain statutory restrictions that do not apply to other communications service providers; and

Whereas, this disparity may deprive customers of traditional telephone services of the full range of timely and competitive options and offerings that otherwise would be available to them; and

Whereas, the General Assembly finds that relaxing certain restrictions will relieve customers of unnecessary costs and burdens, encourage investment, and promote timely deployment of more innovative offerings at more competitive prices for customers; and

Whereas, in order to make the full range of competitive options and offerings available to customers of communications services while maintaining inflation-based price controls for those existing customers who currently receive and wish to continue receiving only stand-alone basic residential lines from traditional telephone companies, and at the same time ensuring that customers in rural areas of the State continue to have access to basic local exchange service at affordable rates, the General Assembly hereby enacts the "Customer Choice and Technology Investment Act of 2009". Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

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SECTION 1. Section 58-9-576 of the 1976 Code, as last amended by Act 318 of 2006, is further amended by adding:

“(C) Notwithstanding another provision of this chapter, upon the effective date of this subsection, a LEC that is operating pursuant to subsection (B), or a LEC that complies with subsection (A), may elect to have its rates, terms, and conditions for its services determined pursuant to the plan described in this subsection. If at the time of this election the LEC is operating pursuant to subsection (B) above, the election becomes effective five days after the notice of the election is filed with the commission. Otherwise, the election becomes effective in the same manner as provided for in subsection (B)(1).

(1) As used in this subsection:

(a) ‘Single-line basic residential service’ means single-line residential flat rate basic voice grade local service with touch tone within a traditional local calling area that provides access to available emergency services and directory assistance, the capability to access interconnecting carriers, relay services, access to operator services, and one annual local directory listing (white pages or equivalent).

(b) ‘Stand-alone basic residential line’ means single line basic residential service that is billed on a billing account that also does not contain another service, feature, or product that is sold by the LEC or an affiliate of the LEC and that is billed on a recurring basis on the LEC’s bill.

(c) ‘Preelection date’ means the date immediately before the effective date of the LEC’s election under this subsection.

(d) ‘LEC’s preelection state USF withdrawal’ means the amount of annual distributions or payments the LEC receives from the state USF as of the preelection date.

(e) ‘LEC’s state USF reduction’ means an amount equal to twenty percent of the LEC’s preelection state USF withdrawal.

(f) ‘LEC’s preelection Interim LEC fund withdrawal’ means the amount of annual distributions or payments the LEC receives from the Interim LEC Fund as of the preelection date.

(g) ‘LEC’s Interim LEC fund reduction’ means twenty percent of the LEC’s preelection Interim LEC fund withdrawal.

(h) ‘LEC’ has the same meaning as provided for in Section 58-9-10(12).

(2) Beginning on the date that the LEC’s election under this subsection becomes effective, the LEC may increase its rates for its stand-alone basic residential lines that were in service on the preelection date on an annual basis by a percentage that does not

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exceed the percentage increase over the prior year in the Gross Domestic Product Price Index as reported by the United States Department of Labor, Bureau of Labor Statistics. With the sole exception of ensuring the LEC's compliance with the preceding sentence, the commission may not:

(a) impose any requirements related to the terms, conditions, rates, or availability of any of the LEC's stand-alone basic residential lines that were in service on the preelection date; or

(b) otherwise regulate any of the LEC's stand-alone basic residential lines that were in service on the preelection date.

(3) Except to the extent provided for in item (2), beginning on the date of the LEC's election pursuant to this subsection becoming effective, the commission may not:

(a) impose any requirements related to the terms, conditions, rates, or availability of any of the LEC's retail services; or

(b) otherwise regulate any of the LEC's retail services, including without limitation any stand-alone basic residential lines put into service after the preelection date.

(4) Beginning on the date of the LEC's election pursuant to this subsection becoming effective, the commission may not:

(a) impose any requirements related to the terms, conditions, rates, or availability of any retail interexchange services offered by the LEC or any of its affiliated entities; or

(b) otherwise regulate any of the retail interexchange services of the LEC or any of its affiliates.

(5) The LEC shall continue to file schedules regarding its switched access services as required by Section 58-9-230, but the LEC also may enter into contracts for switched access at rates, terms, and conditions that vary from those schedules. The LEC shall file these contracts with the commission and provide a copy of these contracts to the Office of Regulatory Staff, provided that the LEC may redact this information as is necessary to protect the identity of the other party to the contract from public disclosure. This contract, including without limitation a contract between the LEC and an affiliate of the LEC, must be made available to similarly-situated carriers. Beginning on the date that the LEC's election, pursuant to the provisions of this subitem becomes effective, the LEC is not required to file schedules for any of its billing and collection services. Nothing in this subitem otherwise diminishes, and nothing in this subitem expands, the commission's jurisdiction as it exists on the effective date of this subitem over wholesale services, including without limitation switched access

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services, carrier-to-carrier agreements, and carrier-to-carrier complaints regarding nonretail services.

(6) A LEC's election, pursuant to the provisions of this subsection, does not affect obligations of an incumbent local exchange carrier, as defined by Section 251(h) of the federal Telecommunications Act of 1996, pursuant to Sections 251 and 252 of the federal act or any Federal Communications Commission regulation relating to Sections 251 and 252 of the federal act.

(7) A LEC's election, pursuant to the provisions of this subsection, does not affect the commission's jurisdiction to enforce federal requirements on the LEC's marketing activities. The commission may not adopt, impose, or enforce other requirements on the LEC's marketing activities, including without limitation any requirements of Orders No. 2001-1036 and 2002-2 the South Carolina Public Service Commission entered in Docket No. 2000-378C.

(8) Nothing in this section affects the commission's certification authority pursuant to Section 58-9-280(A) or (B), or the commission's authority under federal or state law to make appropriate determinations with respect to market entry or other matters in areas served by small LECs.

(9) Nothing in this subsection affects an obligation of the LEC and its affiliates to provide contributions to the state USF and Interim LEC fund, and the commission shall ensure that contributions to the state USF and Interim LEC fund, pursuant to the provisions of Section 58-9-280(E), (L), and (M), are maintained at appropriate levels.

(a) For the one-year period beginning on the date of the LEC's election pursuant to this subsection becoming effective, the LEC is entitled to withdraw from the Interim LEC fund an amount equal to the LEC's preelection Interim LEC fund withdrawal less the LEC's Interim LEC fund reduction. For each subsequent one-year period, the amount the LEC is entitled to withdraw from the Interim LEC fund is reduced by the LEC's Interim LEC fund reduction. Beginning at the expiration of the fourth year after the date of the LEC's election pursuant to this subsection becoming effective, the LEC is no longer entitled to withdraw any funds from the Interim LEC fund.

(b) Except as otherwise provided in subitem (c) of this item, for the one-year period beginning on the date of the LEC's election pursuant to this subsection becoming effective, the LEC is entitled to withdraw from the state USF an amount equal to the LEC's preelection state USF withdrawal less the LEC's state USF reduction. For each subsequent one-year period, the amount the LEC is entitled to

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withdraw from the state USF is reduced by the LEC's state USF reduction amount. At the end of the fourth year after the date of the LEC's election pursuant to this subsection becoming effective, the LEC is no longer entitled to withdraw any funds from the state USF.

(c) Before the end of the fourth year after the date of the LEC's election pursuant to this subsection becoming effective, the LEC may petition the commission to withdraw from the state USF an amount that differs from the amount determined pursuant to subitem (b) of this item. Upon the filing of this petition, the commission, after notice and opportunity for a hearing, shall determine the amount of distributions or payments from the state USF the LEC is entitled to receive, based only on the LEC's stand-alone basic residential lines that were in service on the preelection date and that remain in service as of the date of the LEC's petition. The commission also shall establish a process for annually reducing the amount of distributions or payments from the state USF based on the LEC's stand-alone basic residential lines that were in service on the preelection date and that remain in service as of the adjustment date.

(d) In addition to any amounts the LEC is entitled to withdraw pursuant to subitems (a), (b), and (c) of this item, the LEC also is entitled to withdraw from the state USF all amounts needed to fund any state Lifeline match that is necessary to ensure that persons enrolled in the Lifeline program receive the maximum federally-funded Lifeline credit amounts available, including without limitation federal baseline credit amounts and federal supplemental credit amounts.

(10) For those LECs that have not elected to have rates, terms, and conditions for their services determined pursuant to the plan described in this subsection, the Interim LEC fund and state USF shall continue to operate in accordance with Sections 58-9-280(E), (L), and (M).

(11)(a) In order to transition to the changes effectuated by items (2), (3), and (4), the rates, terms, and conditions for products and services no longer subject to regulation by the commission which were in effect with a specific term on the preelection date remain in effect for the duration of the specific term as to customers who subscribed to those products or services on or before the preelection date. If no term applied to the products or services as of the preelection date, then the rates, terms, and conditions governing those products or services remain in effect until a written customer service agreement becomes effective as provided for in subitem (b) of this item.

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(b) Except as provided in subitem(a) of this item, the LEC, and the LEC's affiliates offering interexchange services, shall offer existing and new customers a written customer service agreement, which in the case of new customers must be delivered no later than thirty days after the initiation of service. The customer service agreement must include a provision advising the customer that he has thirty days from receipt in which to elect to:

(i) terminate service with the LEC or the LEC's affiliates offering interexchange services by contacting the entity within the thirty-day time period, in which case the customer has the right to pay off the account in the same manner and under the same rates, terms, and conditions as set forth in the written customer service agreement provided to the customer, which written customer service agreement must relate back in its entirety to the date of a new customer's request for service or the date the agreement was sent to an existing customer, as applicable, and is in effect until termination through pay off. The written customer service agreement must not impose termination charges, transfer charges, or similar charges or limitations that did not apply to the customer's service on the preelection date; or

(ii) use the services of the LEC or the LEC's affiliates offering interexchange services, or to otherwise continue the account with the LEC or the LEC's affiliates offering interexchange services after the thirty-day time period has elapsed, either of which constitutes the customer's assent to all the rates, terms, and conditions of the written customer service agreement. The written customer service agreement must not impose a term commitment, termination charges, transfer charges, or similar charges or limitations that did not apply to the customer's service on the preelection date. The customer service agreement is deemed received three business days after deposit in the United States mail, first-class delivery.

(12) The LEC's assessments pursuant to Sections 58-3-100, 58-3-540, and 58-4-60, and the assessments of the LEC's affiliates offering interexchange services pursuant to Sections 58-3-100, 58-3-540, and 58-4-60, continues to be based upon gross income from operation in this State in the same manner as such assessments were calculated before the effective date of this subsection."

SECTION 2. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

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Rep. THOMPSON explained the amendment.

Rep. THOMPSON spoke in favor of the amendment.

Reps. LOFTIS and HARVIN requested debate on the Bill.

Rep. THOMPSON moved to adjourn debate upon the Bill until Wednesday, February 11, which was adopted.

**H. 3067--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3067 -- Reps. Clemmons, Brady, M. A. Pitts, Merrill, Wylie, Bingham, Viers and Harrell: A BILL TO AMEND SECTION 7-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; AND TO AMEND SECTION 7-13-320, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3154DW09):

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Section 7-13-320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate's name may not appear on the ballot more than once for any single office for the same election.” /

Renumber sections to conform.

Amend title to conform.

Reps. COBB-HUNTER, A. D. YOUNG, HARRISON, J. E. SMITH, LOFTIS, ALLISON, PARKER, KELLY, R. L. BROWN, ERICKSON, HORNE, CLEMMONS, J. H. NEAL, KING, KENNEDY, HOSEY,



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CLYBURN, HALEY, G. R. SMITH, D. C. SMITH and J. R. SMITH  
requested debate on the Bill.

**H. 3245--OBJECTION AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3245 -- Reps. Delleney, Nanney, Simrill, G. R. Smith, G. M. Smith, Lucas, Cooper, Stringer, Parker, Allison, Pinson, Hamilton, Erickson, J. R. Smith, Clemmons, Bedingfield, E. H. Pitts, Owens, Rice, Hiott, Littlejohn, Stewart, Viers, Willis, Loftis, Toole, Wylie, Vick, Millwood, Haley and Duncan: A BILL TO AMEND SECTION 44-41-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO PREREQUISITES TO PERFORMING AN ABORTION, SO AS TO PROVIDE THAT IF AN ULTRASOUND IS PERFORMED, AN ABORTION MUST NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN SIXTY MINUTES, FOLLOWING THE COMPLETION OF THE ULTRASOUND, TO REQUIRE THE WOMAN TO BE INFORMED OF THE PROCEDURE TO BE INVOLVED AND THE PROBABLE GESTATIONAL AGE OF THE EMBRYO OR FETUS, AND TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN ONE HOUR, AFTER THE WOMAN RECEIVES CERTAIN WRITTEN MATERIALS.

Rep. HARRISON requested debate on the Bill.

Rep. COBB-HUNTER moved to adjourn debate on the Bill until Tuesday, February 17.

Rep. DELLENEY moved to table the motion.

Rep. G. R. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 74; Nays 36

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato

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Chalk	Clemmons	Cole
Cooper	Crawford	Daning
Delleney	Duncan	Edge
Erickson	Forrester	Gambrell
Gilliard	Gullick	Haley
Hamilton	Hardwick	Harrell
Harrison	Hearn	Herbkersman
Hiott	Horne	Huggins
Kelly	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Millwood
Moss	Nanney	J. M. Neal
Neilson	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Rutherford	Sandifer
Scott	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Spires
Stringer	Thompson	Umphlett
Vick	Viers	White
Whitmire	Willis	Wylie
A. D. Young	T. R. Young	

**Total--74**

Those who voted in the negative are:

Agnew	Alexander	Allen
Anderson	Anthony	G. A. Brown
R. L. Brown	Clyburn	Cobb-Hunter
Dillard	Frye	Funderburk
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Hutto	Jefferson	Kennedy
King	Kirsh	Knight
Mack	McEachern	McLeod
Miller	Mitchell	J. H. Neal
Parks	Sellers	J. E. Smith
Stavrinakis	Weeks	Williams

**Total--36**

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So, the motion to adjourn debate was tabled.

Reps. COBB-HUNTER objected to the Bill.

Reps. G. R. SMITH, GUNN and HART requested debate on the Bill.

Rep. HART moved to recommit the Bill to the Committee on Judiciary.

**POINT OF ORDER**

Rep. HARRISON raised the Point of Order that the motion to recommit the Bill to the Judiciary Committee was out of order since five members had already requested debate on the Bill prior to the motion to recommit being made.

SPEAKER HARRELL sustained the Point of Order and ruled the motion to be out of order. The SPEAKER stated that once the House had placed five objections and requests for debate on the Bill that it automatically moved to the contested calendar. He stated further that the only action that could be taken upon the Bill at this time was the addition or deletion of objections and requests for debate. He, therefore, sustained the Point of Order.

Reps. J. E. SMITH, CATO, SELLERS, WEEKS, HOSEY, LOFTIS, ALLISON, KELLY, OWENS, WYLIE, ERICKSON, HERBKERSMAN, MOSS, NANNEY, HAMILTON, J. R. SMITH and D. C. SMITH requested debate on the Bill.

Rep. MCLEOD moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3307 -- Reps. Gunn and Harrell: A CONCURRENT RESOLUTION TO INVITE THE HONORABLE BARACK H. OBAMA, PRESIDENT OF THE UNITED STATES OF AMERICA, TO ADDRESS THE SOUTH CAROLINA GENERAL ASSEMBLY IN JOINT ASSEMBLY IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES AT A TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT *PRO TEMPORE* OF THE SENATE.

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H. 3444 -- Reps. Crawford, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO COMMEND MAJOR EDDIE C. JOHNSON, OF SUMTER COUNTY, FOR AN OUTSTANDING CAREER WITH THE SOUTH CAROLINA HIGHWAY PATROL AND FOR HIS OTHER CONTRIBUTIONS TO THIS STATE AND NATION UPON THE OCCASION OF HIS RETIREMENT FROM THE HIGHWAY PATROL AFTER TWENTY-NINE YEARS OF DISTINGUISHED SERVICE, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN HIS FUTURE ENDEAVORS.

H. 3451 -- Reps. Chalk, Herbkersman, Erickson, Hodges, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Hiott, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith,

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**ADJOURNMENT**

At 1:08 p.m. the House, in accordance with the motion of Rep. BARFIELD, adjourned in memory of Peggy H. Graham of Aynor, to meet at 10:00 a.m. tomorrow.

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